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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,470	04/13/2004	Bruce Neil Campbell	200314238-1	4587

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FORT COLLINS, CO 80527-2400

EXAMINER
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LEE, WILSON

ART UNIT	PAPER NUMBER
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2163

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/823,470	<b>Applicant(s)</b> CAMPBELL ET AL.	
	<b>Examiner</b> Wilson Lee	<b>Art Unit</b> 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **Response to Arguments**

Applicant's arguments filed on 12/12/07 have been fully considered but they are not persuasive.

Applicant argues that Nelson et al. (US Publication 2004/0246946) fails to that the alleged limitation "an original version of a document file to be located on a computer system and an updated version of the document file to be located on a network site not including the computer system."

However, the newly added limitation (underlined) is not exactly the same as argued. The newly added is "a document parser for identifying a remote network location on a remote network site not including the computer system and specified by an original version of said document file stored on said computer system."

Further, the above limitation is not taught or supported by the specification. The disclosure does not disclose any document parser for identifying a remote network location on a remote network site not including the computer system, which excluding the existence of the document parser or original version of document in the computer system.

In the event that applicant equates the document parser to an original version of document, by contrast, the disclosure (on page 6, lines 1-4) teaches as follows:

"[22] For example, host application version 1.0 can reside on computer 11, while an updated version 2.0 of the host application is available at the manufacturer's site. Original document file 20 is version 1.0."

It clearly indicates that the host application version 1.0 (which is the original document file 20) can reside on computer 11 as well.

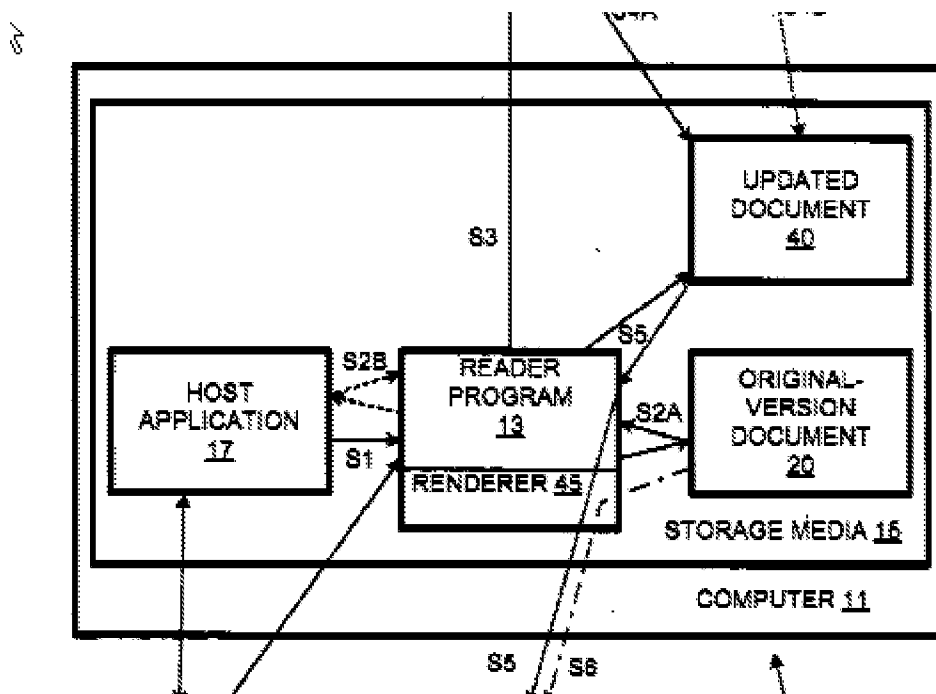
In order to expedite the prosecution, Claim 1 is still examined in the best interpretation but "a document parser for identifying a remote network location on a remote network site not including said computer" is in doubt because the disclosure teaches differently.

Regarding claim 6, the newly added (underlined),

"said updated version having updated information said updated version being stored, on a remote network site not including said computer system"

The above limitation is not taught or supported by the specification neither.

By contrast, Figure 1 shows:



As shown above, it clearly indicates that the updated document 40 is stored at the computer 11 as well.

In order to expedite the prosecution, Claim 6 is still examined in the best interpretation but "updated version being stored on a remote network site not including said computer" is in doubt because the disclosure teaches differently.

### **Claim Rejections – 35 U.S.C. 112**

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In claim 1, line 7-10, "a document parser for identifying a remote network location on a remote network site not including said computer system, and specified by an original version of said document file stored on said computer system" has not been taught or disclosed in the specification to enable one skilled in the art to make/use the invention.

In claim 6, lines 8-9, "said updated version having updated information said updated version being stored, on a remote network site not including said computer system" has not been taught or disclosed in the specification to enable one skilled in the art to make/use the invention.

Claims 2-5, 7-10 are rejected by virtue of their dependency on claims 1 and 6 respectively.

### **Claim Rejections – 35 U.S.C. 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-10, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Nelson et al. (US Publication 2004/0246946).

Regarding Claim 1, as best understood, Nelson discloses a computer system comprising:

computer-readable media (display) (See fig. 1),

- a computer executable reader program ("Microsoft Internet Explorer") (fig. 3) for rendering information in a computer readable document file in

human-cognizable form, said reader program being stored on said computer-readable media, said reader program including

- a document parser (“Web browser”, paragraph 0031) for identifying a remote network location (all web pages have “URL”. Also see paragraph 0031) specified by an original version (Note: original version is interpreted as a version of the index or home page which it is accessed by the client for the first time, paragraphs 0031-0034) of said document file (html file) stored on the computer system (the Cache or RAM at the computer inherently stores the web page temporarily for display);
- a network interface (“internet”) (fig. 1) for accessing an updated version (Note: updated version is interpreted as a version of the index or home page which is accessed by the client after the first time. The server then constructs an HTTP response message upon receiving the client’s request. Company’s home page is always updated periodically) of said document file via said network location (“selecting a HyperText link to that URL..”) (paragraphs 0031-0034); and
- a renderer (“router”, fig. 1) for causing information in said updated version to be rendered in human-cognizable form (“human-readable text, html document..”) (paragraph 0034).

Regarding Claim 2, Nelson discloses that said reader program further includes a host interface for receiving a help request from a local version of a host application (“a

user may also access a user guide (help page)..." is considered as a help request. (See paragraphs 0047, 0052), said document file being a help file for said host application (the help file will be presented on the company's web page) (fig. 6), said updated version of said document file being a more recent version of said help file (fig. 6) for a more recent version of said host program (the help file will be presented on the company's web page).

Regarding Claim 3, Nelson discloses that said document is in pdf or html format (See paragraph 0034).

Regarding Claim 4, Nelson discloses that said reader program further includes a host interface for receiving a help request from a local version of a host application (such act of "a user may also access a user guide (help page)..." is considered as a help request. (See paragraphs 0047, 0052), said document file being a help file (texts, images, animations or other help will be presented to user on the web page when user selects the user guide) (paragraph 0052, fig. 6) for said host application, said updated version of said document file being a more-recent version of said help file (fig. 6) for said local version of said host application (the help file will be presented on the company's web page).

Regarding Claim 5, Nelson discloses that said host interface also provides for receiving a version identification ("version identification" is interpreted as a response from the server) for said host application from said host application (from the server) (See paragraphs 0031-0034, 0047, 0051).



Regarding Claim 6, as best understood, Nelson discloses a computer-implemented method comprising:

- accessing an original version (Note: original version is interpreted as a version of the index or home page which it is accessed by the client for the first time) of a document file (i.e. html file) stored on a computer (the Cache at the client computer inherently stores the web page temporarily for display), said original version of said document file specifying a network location (URL) (paragraph 0031),
- accessing an updated version (Note: updated version is interpreted as a version of the index or home page which is accessed by the client after the first time. The server then constructs an HTTP response message upon receiving the client's request. Company's home page is always updated periodically) of said document file via said network location ("selecting a HyperText link to that URL.."), said updated version having updated information (inherent feature) (See paragraphs 0031-0034), and
- rendering said updated information in human-cognizable form ("human-readable text, html document..") (paragraph 0034).

Regarding Claim 7, Nelson discloses the method further comprising receiving a help request from a local version of a host application ("a user may also access a user guide (help page)..." is considered as a help request. (See paragraphs 0047, 0052), said accessing an original version (the index or home page which is accessed by the client for the first time) occurring in response to said help request (texts, images,

animations or other help will be presented to user when user selects the user guide) (paragraph 0052), said updated version corresponding to a more-recent version of said document file for a more-recent version of said host application (the help file will be presented on the company's web page) (fig. 6).

Regarding Claim 8, Nelson discloses that said document is in html or pdf format (See paragraph 0034).

Regarding Claim 9, Nelson discloses the method further comprising receiving a help request from a local version of a host application (such act of "a user may also access a user guide (help page)..." is considered as a help request. (See paragraphs 0047, 0052), said accessing an original version (the index or home page which is accessed by the client for the first time) occurring in response to said help request (texts, images, animations or other help will be presented to user when user selects the user guide) (paragraph 0052), said updated version corresponding to a more-recent version of said document file for said local version of said host application (the help file will be presented on the company's web page) (fig. 6).

Regarding Claim 10, Nelson discloses the method further comprising receiving version identification ("version identification" is interpreted as a response from the server) for said host application from said host application (from the server) (See paragraphs 0031-0034, 0047, 0051).

### **Conclusion**

.Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Wilson Lee/  
Primary Examiner, Art Unit 2163

3.5.08